

breeding sites for birds, over 300 federal- and state listed species occur [including Piping Plover, Red Knot, Roseate Tern, Least Tern, Common Tern, seabeach amaranth, and several species of sturgeon, sea turtle (Loggerhead pictured), bat, and marine mammals], and it lies within the Atlantic Flyway for migratory birds.



NYNJHAT includes alternatives that call for massive in-water barriers that could critically harm the region by restricting tidal flow, blocking the migration of fish, and trapping sediments and contaminants (the area includes several Superfund sites). Further, the storm-surge water deflected from the barriers has to go somewhere; one neighborhood's barrier becomes another neighborhood's flood. Finally, with gates to allow passage of ships, the barriers would not protect against inevitable flooding from sea level rise.

A separate Rockaways and Jamaica Bay project, for which SSAS provided comments in December 2016, included a storm-surge gate that has now been moved to NYNJHAT. In addition, the cautions that we urged in the other components of that project apply here: beach "nourishment" prevents formation of overwash habitat, which provides optimal habitat for Piping Plover and other shorebird species, and it reduces their prey base. Overwash also provides storm protection benefits by accumulating sand and contributing to barrier island development and marsh creation. Constructing or enhancing hardened structures along the shoreline can alter sand transport and actually increase erosion — degrading and destroying beach habitat.

Of further concern with NYNJHAT is the short time for public comment given to sketchy descriptions of the alternatives. It is imperative that USACE provide a thorough environmental impact study with ample time for public review. Managed retreat from the coast where possible needs to be considered: strategies such as voluntary buyouts, converting flood zone properties into natural areas that serve as buffers during future storm events, living shorelines, and preventing further development of flood zones should be evaluated. Managed retreat is the only strategy that will reduce direct impacts to communities and reduce long-term economic impacts from storm damage.

SSAS is providing public comments on the scoping process, the deadline for which is **November 5**. Comments received before that date will be incorporated in the EIS; comments received after will be included with the comments in the public review of the EIS, which is expected in January. For USACE's description of the NYNJHAT project, a PowerPoint presentation on the alternatives, and the address for sending comments, see <http://www.nan.usace.army.mil/Missions/Civil-Works/Projects-in-New-York/New-York-New-Jersey-Harbor-Tributaries-Focus-Area-Feasibility-Study/>.

For Riverkeeper's petition objecting to storm-surge barriers and urging a thorough environmental review, see <https://secure3.convio.net/river/site/Advocacy?cmd=display&page=UserAction&id=552>.

Please add your voice: NYNJHAT is a massive project that requires a massive response to protect our birds and wildlife, our environment, and our communities.



GET DISCOUNTED AUDUBON CALENDARS FROM SSAS

At our walks and meetings we'll be selling Audubon calendars at a bargain price of \$11 apiece.

The 12-inch by 28-inch (when opened) "Songbirds & Other Backyard Birds" Picture-a-Day Wall Calendar (list price \$15.99) features a photograph and related text at the top, plus smaller images throughout the unusually tall grid. Samples of its 28 pages are at <https://www.pageaday.com/brands/audubon>.

This year we're also offering the Audubon Nature calendar (list price \$14.99), which "spotlights stunning landscapes from around the world."



BEST FIVE DAYS FOR AN AMAZON SMILE DONATION TO SSAS

From **October 29** to **November 2**, AmazonSmile will increase the donation rate on all eligible smile.amazon.com purchases (their "largest bonus promotion to date").

SSAS is now registered with AmazonSmile, where Amazon normally donates 0.5% of the price of eligible purchases to charities selected by customers. Prices are the same as at the main Amazon site, so please support us via <https://smile.amazon.com/ch/23-7300504>.



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HEMPSTEAD LAKE STATE PARK Response to the Environmental Assessment and Negative Declaration

Brien Weiner

2550 to 2850 trees removed from Hempstead Lake State Park (HLSP). Loss of wetlands. Fragmentation by trails. That is what the Governor's Office of Storm Recovery (GOSR) has found to have "No Significant Impact" in their just-released Environmental Assessment (EA) of their proposed changes. (See <https://stormrecovery.ny.gov/environmental-docs>, scroll to Rebuild by Design, choose Living with the Bay Project.) The removal of trees from the dams, according to a report by the U.S. Army Corps of Engineers, will leave roots to decompose, potentially compromising the integrity of the dams and leading to catastrophic flooding downriver. In addition, the tree removal will include healthy stands of native oak and cherry trees, and can take place in March, when HLSP is a hot spot for migratory birds and breeding grounds for Great Horned Owls.

The HLSP project, by its magnitude, meets the criteria of the State Environmental Quality Review Act (SEQRA) to require a thorough Environmental Impact Statement (EIS). In the document Hempstead Lake SEQRA part 2, GOSR admits to "Moderate to Large Impact" in construction where depth to water table is less than 3 feet, in dredging more than 100 cubic yards of material from a wetlands or water body (2500 cubic yards), in construction within or adjoining a freshwater or tidal wetland, in creating turbidity in a water body, in affecting water quality of any water bodies within or downstream of the site, in modification of existing drainage patterns, in changing floodwater flows that contribute to flooding, and in repairing dams. Regarding birds, GOSR admits to Moderate to Large Impact in "substantial interference on nesting/breeding, foraging or overwintering habitat for the predominant species that occupy the project site."

According to Audubon's Important Bird Area (IBA) website, "Hempstead Lake is one of the most important sites on Long Island for wintering waterfowl, with buildups beginning in late August and peaking in the late fall and winter. At peak times, the numbers run into the many thousands with the following species present: Gadwall, American Wigeon, American Black Duck, Mallard, Northern Shoveler, Northern Pintail, Green-winged Teal, Canvasback, Lesser Scaup, Common Merganser, Hooded Merganser, and Ruddy Duck. Of these, the most numerous are the American Black Duck, Mallard, and Lesser Scaup. While the American Black Ducks and Mallards move in and out all day, the Lesser Scaup (which in some years have totaled several thousand) stay on the lake continuously. This is also one of the most important sites for migrant land birds on Long Island. A normal day reveals 50-75 species of birds during a leisurely morning stroll. In addition, approximately 17 species of shorebirds have

been observed foraging at the north end of the lake when water levels go down. Large numbers of Common Terns and some Forster's Terns use the area as a feeding and bathing site in late summer."

Federal floodplain and wetlands laws (Executive Orders 11988 and 11990) require that practical alternatives be considered in order to avoid adverse impacts. In Appendix M of the HLSP EA, GOSR considered only a proposal with significant alterations and a net loss of 1.72 acres of wetlands, and a no-action alternative, in their required eight-step process of wetlands analysis. As we have repeatedly commented in letters to GOSR, the North Ponds currently provide valuable and rare wetland habitat of shallow open water and mudflats that are used by an abundance and diversity of shorebirds, wading birds, and dabbling ducks. Dredging and increasing water capacity may flood the habitat and make it unusable by these at-risk species. There is no guarantee that the new wetlands will provide suitable habitat. The expansion of trails and creation of viewing points around the North Ponds is gratuitous destruction of habitat and removal of native vegetation that provides crucial food and shelter for birds, including Bald Eagles and Great Horned Owls (pictured). The North Ponds area is one of the last wild areas of Nassau County, and as much as possible, should be preserved as such. Further fragmenting the woodlands and wetlands with trails and disturbing the area with recreational traffic defeats the purpose of increasing access to nature by removing nature from the equation.



GOSR's response, in a letter to the Citizens Advisory Committee (CAC) in October 2018, inadequately states that the floatables collector will improve water quality. First, floatables collectors do not address the issue of flooding and disturbing valuable habitat. Second, the alternative of locating the floatables collectors upstream where floatables enter the watershed is not considered. GOSR cites bureaucracy as the reason, but it is insanity to spend taxpayers' money to clean up what should be prevented at its source; moreover, floatables collectors will not catch microplastics and other toxins that enter the watershed with the floatables. And in storm events, large volumes of water will overtop the collectors, the floatables with them. We need a thorough EIS to assess alternative solutions that minimize adverse impacts.

Regarding cleanup of contamination, GOSR is short on details. From documents provided by the NYS Department of Environmental Conservation, we know that the more thorough the cleanup, the greater the cost, but the greater the environmental benefit. The documents state that the most financially feasible cleanup is a limited one, yet GOSR has allocated money for a multi-million dollar Education Center and a kayak launch that do nothing to improve water quality or mitigate flooding. GOSR has not considered repurposing an existing building to serve

as an Education Center, which would have the benefit of leaving no additional footprint. In total, additional trails, parking, and the Education Center will result in 8 acres of impervious material.

One third (\$35 million) of the funding for the Living with the Bay (LWTB) project to mitigate flooding along the Mill River is being spent on HLSP, yet HLSP lies outside the flood zone. Of course, what happens at Hempstead Lake affects the entire Mill River, but then GOSR claims that HLSP is a functionally independent project and admits to segmentation of HLSP from LWTB. Segmentation is prohibited by SEQRA. We need a thorough EIS to assess the cumulative impacts of HLSP on LWTB.

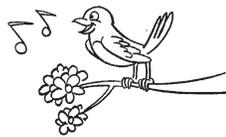
We hope that GOSR will take our comments and those of the CAC for LWTB into consideration. Failure to prepare an EIS will result in backlash from the community and a loss of confidence in the Governor's Office. The public perception will be that GOSR does not care about preserving our environment for the benefit of wildlife and people. SSAS will continue to advocate and take action to protect our flagship birding site, one of the last and largest areas of open space in Nassau County, and a NYS IBA.

News Flash from Your Editor: This *Skimmer* was at the printer when GOSR extended the EA comment deadline to **November 2**. See https://stormrecovery.ny.gov/sites/default/files/crp/community/documents/LWTB_Hempstead%20Lake_FONSI%20NOIRROF.pdf (p. 3) for e-mail and mailing addresses, and write to them!

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BROOKSIDE PRESERVE FALL CLEANUP

On **Sunday, November 18**, starting at 1 P.M., SSAS will have its fall cleanup at Brookside Preserve, rain or shine. Brookside is a 20-acre freshwater wetland, woodland, and upland area owned by Nassau County that SSAS rescued from development and manages. PDF files of our trail guide and children's freshwater wetland guide can be downloaded from www.ssaudubon.org. The preserve is located on the Freeport-Baldwin border, along Milburn Creek; park at the main entrance on Brookside Avenue just north of Sunrise Highway (turn north at the traffic light that's just east of Freeport High School). Please bring work gloves and spend an hour or two with us.



FREEPORT LIBRARY'S NEWEST BIRD BOOKS FOR ADULTS AND CHILDREN

Editor's note: In August we received the following letter from library director Ken Bellafiore regarding our annual donation: "On behalf of the Freeport Memorial Library, I would like to thank you and the members of the South Shore Audubon Society for your generous donation of \$500. As you suggested, the funds will be used to increase our collection of nature-oriented books. All materials purchased will have a bookplate added as a note of thanks. The books that have been purchased are listed below."

- *Birds of Prey: Hawks, Eagles, Falcons, and Vultures of North America* by Pete Dunne with Kevin T. Karlson
- *Songbirds of North America* by Noble S. Proctor, Ph.D.
- *Parrots* by Ruth Bjorklund
- *Animales del mar en peligro* by William B. Rice
- *Parrots of the Wild* by Catherine A. Toft and Timothy F. Wright
- *Sibley Birds West* by David Allen Sibley
- *Birds of Prey of the East: A Field Guide* by Brian K. Wheeler
- *Field Guide to the Birds of North America (Seventh Edition)* by National Geographic
- *A History of Birds* by Simon Wills
- *The Wonder of Birds* by Jim Robbins
- *The Meaning of Birds* by Pegasus Books
- *Far From Land: The Mysterious Lives of Seabirds* by Michael Brooke



- *The Homing Instinct* by Bernd Heinrich
- *Birds and Their Feathers* by Britta Teckentrup
- *Owls of the World* by Heimo Mikkola
- *Penguin Day: A Family Story* by Nic Bishop
- *Ostriches* by Kate Riggs
- *Warbler Wave* by April Pulley Sayre with Jeff Sayre
- *The Enigma of the Owl* by Mike Unwin and David Tipling

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